

UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

* * *

OMAR RUEDA-DENVERS,

Case No. 3:25-cv-00109-MMD-CLB

Petitioner,

ORDER

v.

NETHANJAH BREITENBACH, *et al.*,

Respondents.

Petitioner submitted a pro se petition for writ of habeas corpus. (ECF No. 1-1.) He filed an application to proceed *in forma pauperis* but is missing the completed financial certificate and the required inmate account statements. Accordingly, this matter has not been properly commenced. See 28 U.S.C. § 1915(a)(2); LR 1-2. This action therefore is subject to dismissal without prejudice as improperly commenced. However, it is unclear from the papers presented whether a dismissal without prejudice would materially affect a later analysis of any timeliness issue regarding a new action.

Accordingly, Petitioner has 30 days to either (1) pay the \$5.00 filing fee or (2) submit a fully completed application to proceed *in forma pauperis* by an incarcerated person, with the financial certificate completed and signed by an authorized officer and an inmate account statement for the past six months.

It is therefore ordered that Petitioner has 30 days from the date this order is entered—no later than May 11, 2025—in which to send the \$5.00 filing fee to the Clerk of Court or submit a completed application to proceed *in forma pauperis* with the financial certificate and his inmate account statement for the past six months.

It is further ordered that if Petitioner fails to comply with this order, this action may be dismissed without prejudice and without further prior notice.

1 The Clerk of Court is directed to send to Petitioner one copy of the application to
2 proceed *in forma pauperis* for incarcerated persons with instructions.

3 DATED THIS 11th Day of April 2025.

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6 MIRANDA M. DU
UNITED STATES DISTRICT JUDGE